

STATE HEALTH COUNCIL

November 15, 2011

A meeting of the State Health Council was called to order by Chairman Marlene Kouba at 10:00 a.m. on Tuesday, November 15, 2011 in AV Room 212 of the Judicial Wing, State Capitol, Bismarck, ND.

Members present:

Marlene Kouba, Regent, Chairman
Gordon Myerchin, Grand Forks, Vice Chairman, *by teleconference*
Carmen Toman, Bismarck, Secretary
Greg Allen, Jamestown
Howard Anderson, Turtle Lake
Hjalmer Carlson, Minot, *by teleconference*
Mike Jones, Bismarck
Jerry Jurena, Bismarck
Lee Larson, Leeds, *by teleconference*
Wade Peterson, Mandan
Dennis Wolf, MD, Dickinson, *by teleconference*

Staff members present:

Terry L. Dwelle, State Health Officer
Arvy Smith, Deputy State Health Officer
Kenan Bullinger, Division of Food & Lodging
Gary Garland, Office of Community Assistance
Londa Rodahl, Recording Secretary
Molly Sander, Division of Disease Control

Others present:

See ATTACHMENT A

Minutes

Introductions were made as three new members joined the Council: Greg Allen, Mike Jones and Wade Peterson.

MS. TOMAN MOVED APPROVAL OF THE AUGUST 16 AND OCTOBER 27, 2011 MINUTES. SECOND BY MR. JURENA AND CARRIED.

NDAC Chapters 33-33-04, 33-33-06 and 33-33-09 Food Code, Bed & Breakfast Facilities, and Assisted Living Facilities

Kenan Bullinger presented the proposed amendments to chapter 33-33-04, State Food Code; chapter 33-33-06, Bed and Breakfast Facilities; and chapter 33-33-09, Assisted Living Facilities. The Attorney General's legality opinion was received October 31, 2011. He requested final adoption of these amendments.

MR. JURENA MOVED ADOPTION OF THE PROPOSED AMENDMENTS TO NORTH DAKOTA ADMINISTRATIVE CODE CHAPTER 33-33-04, STATE FOOD CODE; CHAPTER 33-33-06, BED AND BREAKFAST FACILITIES; AND CHAPTER 33-33-09, ASSISTED LIVING FACILITIES. SECOND BY MR. JONES.

The Chair requested a ROLL CALL vote and the motion CARRIED. Allen, Anderson, Carlson, Jones, Jurena, Kouba, Larson, Myerchin, Peterson, Toman, and Wolf voted 'aye'. There were no 'nay' votes.

NDAC 33-06-05-11, Vaccines

Molly Sander presented the proposed amendment to ND Administrative Code section 33-06-04-11, Vaccines, and requested final adoption. The Attorney General's legality opinion was received November 1, 2011.

MR. JONES MOVED ADOPTION OF THE PROPOSED AMENDMENT TO NORTH DAKOTA ADMINISTRATIVE CODE SECTION 33-06-04-11, VACCINES. SECOND BY MR. MYERCHIN.

The Chair requested a ROLL CALL vote and the motion CARRIED. Allen, Anderson, Carlson, Jones, Jurena, Kouba, Larson, Myerchin, Peterson, Toman, and Wolf voted 'aye'. There were no 'nay' votes.

Loan Repayment Applications

Gary Garland presented the loan repayment application for nurse practitioner Kimberley Myklebust, who is practicing in the Oakes, ND clinic. She is requesting \$30,000 (half from the state, half from the city).

MS. TOMAN MOVED APPROVAL OF THE NURSE PRACTITIONER LOAN REPAYMENT APPLICATION FOR KIMBERLEY MYKLEBUST FOR \$30,000. SECOND BY MR. JURENA.

The Chair requested a ROLL CALL vote and the motion CARRIED. Allen, Anderson, Carlson, Jones, Jurena, Kouba, Larson, Myerchin, Peterson, Toman, and Wolf voted 'aye'. There were no 'nay' votes.

Mr. Garland presented the physician loan repayment application for Anna Maria Lindley, MD, PhD. Dr. Lindley is a board certified pediatric neurologist practicing in Fargo and is requesting \$90,000 (\$45,000 from state/\$45,000 from Sanford Health in Fargo).

MR. ALLEN MOVED APPROVAL OF THE PHYSICIAN LOAN REPAYMENT APPLICATION FOR ANNA MARIA LINDLEY, MD, PHD, FOR \$90,000. SECOND BY MS. TOMAN.

The Chair requested a ROLL CALL vote and the motion CARRIED. Allen, Anderson, Carlson, Jones, Jurena, Kouba, Larson, Myerchin, Toman, and Wolf voted 'aye'. There were no 'nay' votes. Peterson abstained as Dr. Lindley may see patients through Medcenter One in Bismarck and he's employed with Medcenter One.

Legislative Update

Arvy Smith reviewed the Department's budget for 2011-2013 and the legislative interim studies pertaining to the Department.

Other Business

Howard Anderson reported that he presented testimony on October 26 to the Health Services Committee on behalf of the Health Council's Data Committee. He presented testimony from the perspective of rewriting the mandate for the Data Committee so that it's more applicable for current issues. The Committee would like to keep some of the quality measures but do away with the dollar/cost measures. To have the focus more on putting data together and making it available to researchers to focus on finding the causes and possible benefits for all the data we have in improving the health care for North Dakotans rather than on comparing the costs of different services. The Data Committee will draft legislation for presentation to the Council at the next meeting. In the meantime, they want Dr. Dwelle, Arvy Smith and Dr. Pickard to tell the Data Committee what they would like to see in the draft legislation and run that through the Interim Health Services Committee.

Carmen Toman noted that since Gary Riffe retired and resigned from the Council, the Health Council Audit Committee needs someone to fill his position. Wade Peterson accepted the position.

Howard Anderson moved that the chairman appoint a Council member to work with Kelly Nagel and the Department's public information officer to determine what should be on the Department's website concerning the State Health Council and report back at the next meeting. It was suggested that possibly the new appointees (Allen, Jones and Peterson) assist with this.

The Council wishes to have longer meetings and have regular updates from the Department's sections.

Mr. Peterson also offered to fill Gary Riffe's position on a task force the Department is establishing to review health care bed capacity recommendations for the state.

The meeting adjourned at 11:45 a.m.

Carmen Toman, Secretary